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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 08-00706 JW
	)	
Plaintiff,	)	<b>STIPULATION TO CONTINUE</b>
	)	<b>HEARING AND EXCLUDE TIME;</b>
v.	)	<b>[PROPOSED] ORDER</b>
	)	
EUGENIO CORTES-VILLASENOR,	)	
	)	
Defendant.	)	
_____	)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Monday, November 17, 2008, be continued to Monday, December 15, 2008, at 1:30 p.m. The continuance is requested because the defense is continuing to investigate this matter.

The parties further agree that time should be excluded under the Speedy Trial Act because the defense requires time for effective preparation and investigation, and the ends of justice outweigh the defendant's and the public's need for a speedy trial.

Dated: 11/12/08 \_\_\_\_\_  
LARA S. VINNARD  
Assistant Federal Public Defender

Dated: 11/12/08 \_\_\_\_\_  
DANIEL KALEBA  
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

EUGENIO CORTES-VILLASENOR,

Defendant.

No. CR 08-00706 JW

**[PROPOSED] ORDER CONTINUING  
HEARING AND EXCLUDING TIME**


The parties have jointly requested a continuance of the hearing set for November 17, 2008, to allow time for the defense to complete investigation.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date presently set for November 17, 2008, be continued to December 15, 2008 at 1:30 p.m.

Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from November 17, 2008, to December 15, 2008, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

IT IS SO ORDERED.

Dated: November 13, 2008

  
JAMES WARE  
United States District Judge